

11-18-04

# 2877  
Caw/B

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YAMAGATA et al.  
Serial No.: 10/037,866  
Filed: October 24, 2001  
Confirmation No.: 5239

Examiner: Zandra V. Smith  
Group Art Unit: 2877  
Docket: 10873.0326USD1  
Notice of Allow. Date: September 15, 2004

Title: DEVICE FOR CALCULATING DIFFRACTION EFFICIENCIES OF A DIFFRACTION LENS,  
LENS WITH GRATING ELEMENT, AND OPTICAL SYSTEM FOR READING

## CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495867457 US  
Date of Deposit: November 17, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: David Ortiz

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

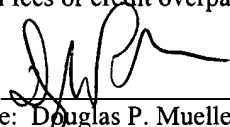
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of Japanese Office Action
- ☒ Check(s) in the amount of \$180.00 for fee set forth in 37 CFR 1.17(p)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Douglas P. Mueller  
Reg. No. 30,300  
DPM/sbd

---

## DOCKET NOTIFICATION SLIP

---

TO: PATENT DOCKETING

Applicant: YAMAGATA et al.  
Title: DEVICE FOR CALCULATING DIFFRACTION EFFICIENCIES OF A  
DIFFRACTION LENS, LENS WITH GRATING ELEMENT, AND OPTICAL SYSTEM FOR READING  
Serial No: 10/037,866  
Filed: October 24, 2001  
Docket: 10873.0326USD1  
Due Date:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 1 Reference(s), Copy of Japanese Office Action
- ☒ Check(s) in the amount of \$180.00 for fee set forth in 37 CFR 1.17(p)
- ☒ Return postcard

**Express Mail No.: EV 495867457 US**

**Date of Deposit: November 17, 2004**

DPM/sbd



10037,866

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: YAMAGATA et al. Examiner: Zandra V. Smith  
Serial No.: 10/037,866 Group Art Unit: 2877  
Filed: October 24, 2001 Docket No.: 10873.0326USD1  
Title: DEVICE FOR CALCULATING DIFFRACTION EFFICIENCIES OF A  
DIFFRACTION LENS, LENS WITH GRATING ELEMENT, AND  
OPTICAL SYSTEM FOR READING

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495867457 US

Date of Deposit: November 17, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22312-1450.

By: 

Name: David Ortiz

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(d))**

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of the Notice of Allowance under 37 C.F.R. § 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Enclosed is a check in the amount of \$180.00 for the fee set forth in 37 C.F.R. § 1.17(p). This statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

**Certification Under 37 C.F.R. § 1.97(e)(1)**

In accordance with 37 C.F.R. § 1.97(c) or § 1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

11/22/2004 AWONDAF1 00000124 10037866

01 FC:1806

180.00 OP

**Certification Under 37 C.F.R. § 1.704(d)**

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,



MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

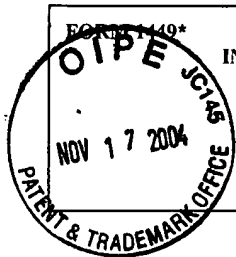
Dated: November 17, 2004

By

A handwritten signature in black ink, appearing to read "Douglas P. Mueller". The signature is written over a horizontal line.

Douglas P. Mueller  
Reg. No. 30,300

DPM/sbd


**INFORMATION DISCLOSURE STATEMENT**
**IN AN APPLICATION**

(Use several sheets if necessary)

Docket Number:

10873.0326USD1

Application Number:

10/037,866

Applicant: YAMAGATA et al.

Filing Date: October 24,  
2001

Group Art Unit: 2877

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	9-5525	01/1997	Japan			Abstract	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


**23552**

PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.